

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

208

**Criminal Misc. No. M-1218 of 2016
Date of decision: March 11, 2016**

Randhawa

....Petitioner

versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. R.S. Dhull, Advocate for the petitioner.

Ms. Trishanjali Sharma, AAG, Haryana.

DAYA CHAUDHARY, J.(Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to petitioner, namely, Randhawa in case FIR No.233 dated 09.06.2015 registered under Sections 306/302 read with Section 34 of the Indian Penal Code at Police Station Kharkhoda, District Sonapat during pendency of the trial.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case whereas no offence

is made out against him. An alternate charge under Section 302 IPC along with Section 306 IPC has been framed against the petitioner and his co-accused. All material prosecution witnesses have been examined and there is no possibility that the petitioner may influence the remaining witnesses. Co-accused of the petitioner, namely, Dalel, has already been released on regular bail by this Court in **Criminal Misc. No.M-33523 of 2015** on 02.12.2015 and no useful purpose would be served by keeping the petitioner behind the bars. The petitioner is in custody since 10.06.2015 and the trial may take long time to conclude.

Learned State counsel has not disputed the custody period; the fact that co-accused of the petitioner, namely, Dalel has already been released on regular bail by this Court on 02.12.2015 as well as stage of the trial.

In view of the submissions made by learned counsel for the petitioner and the fact that all material prosecution witnesses have already been examined and there is no possibility that the petitioner may influence the remaining witnesses; co-accused of the petitioner, namely, Dalel, has already been released on regular bail by this Court in **Criminal Misc. No.M-33523 of 2015** on 02.12.2015; the petitioner is in custody since 10.06.2015 and that no useful purpose would be served by keeping him behind the bars any further, the present petition is allowed. The petitioner, namely, Randhawa is directed to

be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

March 11, 2016
sonia gugnani

(DAYA CHAUDHARY)
JUDGE